

## NOTICE OF INTENT

Department of Environmental Quality  
Office of Environmental Assessment  
Environmental Planning Division

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Radiation Protection regulations, LAC 33:XV.503 and 588 (Log #NE025).

This proposed rule will change the definition of "radiographer trainee" to allow the individual to be a trainee for 24 consecutive months, provided the industrial radiography exam is taken during the first 12-month period. Previously the trainee status was only good for 12 consecutive months. The 12-month period for trainee status was putting a burden on some industrial radiography companies. This action will allow them to maintain trained personnel for a longer period of time and will give the trained personnel more time to prepare themselves to pass the industrial radiography exam. If an individual is granted trainee status and is working as part of a two-man radiography crew, the licensee must have the written confirmation letter from the department at the temporary job site where the individual is working. The basis and rationale for this proposed rule are to ensure that the individual working has been given written authorization as a trainee and time to get the proper experience needed for the trainee status.

This proposed rule meets an exception listed in R.S. 30:2019 (D) (3) and R.S.49:953 (G) (3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This proposed rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

A public hearing will be held on September 25, 2000, at 1:30 p.m. in the Maynard Ketcham Building, Room 326, 7290 Bluebonnet Boulevard, Baton Rouge, LA 70810. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Patsy Deaville at the address given below or at (225) 765-0399.

All interested persons are invited to submit written comments on the proposed regulations. Commentors should reference this proposed regulation by NE025. Such comments must be received no later than October 2, 2000, at 4:30 p.m., and should be sent to Patsy Deaville, Regulation Development Section, Box 82178, Baton Rouge, LA 70884-2178 or to FAX (225) 765-5095. Copies of this proposed regulation can be purchased at the above referenced address. Contact the Regulation Development Section at (225) 765-0399 for pricing information. Check or money order is required in advance for each copy of NE025.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 7290 Bluebonnet Boulevard, Fourth Floor, Baton

Rouge, LA 70810; 804 Thirty-first Street, Monroe, LA 71203; State Office Building, 1525  
Fairfield Avenue, Shreveport, LA 71101; 3519 Patrick Street, Lake Charles, LA 70605;  
3501 Chateau Boulevard, West Wing, Kenner, LA 70065; 100 Asma Boulevard, Suite 151,  
Lafayette, LA 70508; 104 Lococo Drive, Raceland, LA 70394 or on the Internet at  
<http://www.deq.state.la.us/planning/regs/index.htm>.

James H. Brent, Ph.D.  
Assistant Secretary

**Title 33**  
**ENVIRONMENTAL QUALITY**  
**Part XV. Radiation Protection**

**Chapter 5. Radiation Safety Requirements for Industrial Radiographic Operations**

**§503. Definitions**

A. As used in this Chapter, the following definitions apply:

\* \* \*

[See Prior Text]

*Radiographer Trainee*—any individual who ~~has successfully completed the training, testing, and documentation requirements contained in LAC 33:XV.575.A, including~~ satisfied the following conditions:

a. ~~may have not completed the on-the-job training requirement consisting of~~ has been instructed for at least 40 hours completed as part of a three-person crew composed of an instructor, a radiographer, and the trainee in the subjects outlined in Appendix A.I – III of this Chapter;

b. ~~has not completed the radiation safety examination required by LAC 33:XV.575.A.6; and~~ successfully completed a company-specific written examination and field test covering the applicable Louisiana radiation protection regulations (LAC 33:XV) and the company's operating and emergency procedures;

c. ~~has received written confirmation from the division that the individual is acceptable to be a radiographer trainee. Trainee status will be granted only once for each individual and is valid for no longer than 12 consecutive months~~ completed and documented at least 40 hours of on-the-job training, in industrial radiography

operations, as part of a three-person crew composed of an instructor, a radiographer, and the radiographer trainee applicant; and

d. has filed a completed Form DRC-20 with the department requesting radiographer trainee status and has received written confirmation from the department granting radiographer trainee status. Radiographer trainee status shall be granted only once for each individual and is valid for only 12 consecutive months. Radiography trainee status may be extended for an additional 12 consecutive months provided that the radiographer trainee has taken the industrial radiography radiation safety examination administered by the department or its agent during the first 12 months of granting radiographer trainee status.

\* \* \*

[See Prior Text]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 20:653 (June 1994), LR 23:1138 (September 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:\*\*\*\* .

#### **§588. Documents and Records Required at Temporary Job Sites**

A. Each licensee or registrant conducting industrial radiography at a temporary job site shall have the following documents and records available at that job site for inspection by the ~~division~~ department:

\* \* \*

[See Prior Text In A.1-4]

5. daily pocket dosimeter records for the period of operation at the site;  
~~and~~

6. the latest instrument calibration and leak test records for specific devices and sealed sources in use at the site. Acceptable records include tags or labels which are affixed to the device or survey meter; and

7. a copy of the written confirmation letter issued by the department granting radiographer trainee status to any radiographer trainee performing industrial radiography at the temporary job site.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 20:653 (June 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:\*\*\*\*.

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**LOG #: NE025

Person

Preparing

Statement: Diane AusbrooksDept.: Environmental QualityPhone: (225) 765-0164Office: Environmental Assessment

Return

Address: P. O. Box 82135

Rule

Title:

Radiographer Trainee

Requirements and Records

( LAC 33:XV.503 & 588)Baton Rouge, LA 70884

Date Rule

Takes Effect: Upon Promulgation**SUMMARY**

(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL  
GOVERNMENTAL UNITS (Summary)**

No implementation costs or savings to state or local governmental units are expected as a result of this rule.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL  
GOVERNMENTAL UNITS (Summary)**

No effect on revenue collections of state or local governmental units is anticipated.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED  
PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)**

No costs to any affected person is anticipated. It will economically benefit industrial radiographer companies and trainees employed by these companies.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

This rule will allow industrial radiography companies to utilize a trained person for an additional year before mandating the person to pass a test.

\_\_\_\_\_  
Signature of Agency Head or Designee

LEGISLATIVE FISCAL OFFICER OR DESIGNEE

James H. Brent, Ph.D., Assistant Secretary  
Typed Name and Title of Agency Head  
or Designee

\_\_\_\_\_  
Date of Signature

Date of Signature

LFO 7/1/94

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**

The following information is requested in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The change in the definition of “radiographer trainee” will allow the individual to be a trainee for twenty-four consecutive months, provided the industrial radiography exam is taken during the first 12 month period. Previously the trainee status was only good for 12 consecutive months. This rule requires the licensee to have a copy of the written confirmation letter issued by the Department that grants Radiographer Trainee status to the individual that is working as a trainee as part of the two-man crew at the temporary job site.

- B. Summarize the circumstances which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

The 12 month period for trainee status was putting a burden on some industrial radiography companies. This action will allow them to maintain “trained personnel” for a longer period of time and will give the trained personnel more time to prepare themselves to pass the industrial radiography exam. If an individual is granted Trainee Status and is working as part of a two man radiography crew, the licensee must have the written confirmation letter from the Department at the temporary job site where the individual is working.

- C. Compliance with Act II of the 1986 First Extraordinary Session  
(1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

No, the proposed rule will not result in any increase in the expenditure of funds.

- 2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

- (a) \_\_\_\_ Yes. If yes, attach documentation.  
(b) \_\_\_\_ No. If no, provide justification as to why this rule change should be published at this time.

This is not applicable.



I.

A.

COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1.

What is the anticipated increase (decrease) in costs to implement the proposed action?

There is no increase (decrease) in costs anticipated due to implementation of the proposed action.

COSTS	FY 00-01	FY 01-02	FY 02-03
PERSONAL SERVICES			
OPERATING EXPENSES			
PROFESSIONAL SERVICES			
OTHER CHARGES			
EQUIPMENT			
TOTAL	0	0	0
MAJOR REPAIR & CONSTR.			
POSITIONS(#)	0	0	0

2.

Provide a narrative explanation of the costs or savings shown in "A.1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

This is not applicable.

3.

Sources of funding for implementing the proposed rule or rule change.

This is not applicable.

SOURCE	FY 00-01	FY 01-02	FY 02-03
STATE GENERAL FUND			
AGENCY SELF-GENERATED			
DEDICATED			
FEDERAL FUNDS			
OTHER (Specify)			
TOTAL	0	0	0

4.

Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

No additional funding is necessary to implement the proposed rule.

B.

COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1.

Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

No implementation cost or savings to local governmental units are expected as a result of this rule.

2.

Indicate the sources of funding of the local governmental unit which will be affected by these costs or savings.

This section is not applicable.

II. **EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS**

A. What increase (decrease) in revenues can be anticipated from the proposed action?

REVENUE INCREASE/DECREASE	FY 00-01	FY 01-02	FY 02-03
STATE GENERAL FUND			
AGENCY SELF-GENERATED			
RESTRICTED FUNDS*			
FEDERAL FUNDS			
LOCAL FUNDS			
TOTAL	0	0	0

\*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

This section is not applicable.

III. **COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS**

A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

No costs to directly affected persons or non-governmental groups are anticipated. However, there may be some economic benefit to industrial radiography companies by allowing them to maintain “trained personnel” for a longer period of time prior to passing the required industrial radiography exam.

B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

This section is not applicable.

IV. **EFFECTS ON COMPETITION AND EMPLOYMENT**

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

No effect on competition or employment is expected as a result of this rule.